

AGN. NO. \_\_\_\_\_

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

JUNE 23, 2009

RELATES TO AGENDA ITEM 2

**Conditional Use Permit for a wireless Telecommunications Facility**

The appeal before the Board today is a request to reconsider a Conditional Use Permit (CUP) to locate a wireless telecommunications facility on the roof of an existing CVS store at 4501 West Slauson Ave in Windsor Hills. The Regional Planning Commission denied this CUP on February 19, 2009, determining that the wireless facility is incompatible with the surrounding community and will create negative aesthetic impacts by obstructing the hillside views of the many residential homes which overlook the property from Windsor Hills.

Although the wireless facility is proposed to be on top of a commercial building, it is surrounded by a predominantly quiet residential community. In 2000, the property owner was originally granted a CUP which required the construction of landscaped trellises along the roof-top perimeter of the facility. This was explicitly and solely incorporated in order to buffer the visual blight created by the parking structure.

While the original CUP explicitly states that these trellises should be landscaped, to date, the property is in violation of this condition. To approve the CUP for a

**- MORE -**

**MOTION**

MOLINA \_\_\_\_\_

RIDLEY-THOMAS \_\_\_\_\_

YAROSLAVSKY \_\_\_\_\_

ANTONOVICH \_\_\_\_\_

KNABE \_\_\_\_\_

**MOTION BY SUPERVISOR MARK RIDLEY-THOMAS**  
**JUNE 23, 2009**  
**PAGE TWO**

telecommunications facility on site, which would add an additional 7 feet to the existing 14 foot high trellises, would make non-compliance with this condition worse and would further degrade the aesthetics of the neighborhood. In addition, the view impact analysis that was requested by the Commission and submitted by the applicant was determined by the Commission to be of limited value because the properties evaluated in the analysis were not comparable to the hillside residential properties in the surrounding vicinity.

The proposed wireless facility would exceed the 35 foot allowable height limit required by the zoning code, further obstructing the view of the surrounding residences, as noted as a significant concern by the 700 residents who have weighed in on these proceedings. Furthermore, CVS, the current on-site operator, has explicitly opposed this CUP application in their numerous testimonies and correspondence to the Commission.

**I, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:**

- Close the public hearing;
- Indicate the Board's intent to uphold the Regional Planning Commission denial of the CUP; and
- Direct County Counsel to prepare the final findings for denial of this CUP to bring back to a future Board of Supervisors meeting for the Board's consideration.

**## ##**